

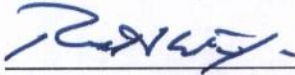


To the Honorable Council
City of Norfolk, Virginia

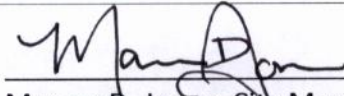
May 10, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exception to operate an entertainment establishment and a Riverview PCO Development Certificate at 4201-4205 Granby Street – Mi Hogar Mexican Restaurant**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-12**

- I. **Staff Recommendation: Approval.**
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Requests:** Special Exception to operate an entertainment establishment with alcoholic beverages and a Riverview Pedestrian Commercial Overlay Development Certificate.
- IV. **Applicant: Mi Hogar Mexican Restaurant**
- V. **Description:**
Special Exception
 - The site is zoned C-2 (Corridor Commercial) and Riverview Pedestrian Commercial Overlay (PCO-Riverview) districts which permits the proposed use by special exception and requires a PCO Development Certificate for any new construction.
 - The applicant is currently operating as an eating and drinking establishment and is proposing to add entertainment, modify the floor plan and add outdoor dining.

	Current	Proposed
Hours of operation and hours for the sale of alcoholic beverages	11:00 a.m. until 11:00 p.m., Monday through Friday 12:00 noon until 11:00 p.m. on Saturday 12:00 noon until 10:00 p.m. on Sunday	11:00 a.m. until 10:00 p.m., Monday through Thursday 11:00 a.m. until 11:00 p.m. on Friday 12:00 noon until 10:00 p.m. on Saturday 12:00 noon until 9:00 p.m. on Sunday

Entertainment	N/A	4 piece live mariachi band
Capacity	Not available	<ul style="list-style-type: none"> • 90 seats indoors • 18 seats outdoors • 118 total capacity

Riverview PCO Development Certificate

- Staff recommends that the Development Certificate be approved subject to the necessary waivers for building placement, parking location, and landscaping.
- The building was existing prior to the implementation of the PCO development standards and the proposed modifications would bring the site and building more into compliance with those standards.

Staff point of contact: Susan Pollock Hart at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated April 28, 2016 with attachments
- Proponents and Opponents
- Ordinances

Planning Commission Public Hearing: April 28, 2016

Executive Secretary: George M. Homewood, FAICP, CFM *GMH*
 Staff: Susan Pollock Hart, CFM *SP*

Staff Report	Item No.: 19	
Address	4201-4205 Granby Street	
Applicant	Mi Hogar Mexican Restaurant	
Requests	Special Exception	Entertainment Establishment
	Development Certificate	Riverview Pedestrian Commercial Overlay (PCO – Riverview)
Property Owner	Pearl Backus Est.	
Site Characteristics	Current/After addition	2,550/3,075 sq. ft.
	Zoning	C-2 (Corridor Commercial) PCO-Riverview
	Neighborhood	Riverview/Colonial Place
	Character District	Traditional
Surrounding Area	North	C-2 & PCO-Riverview: Exxon gas station
	East	C-2 & PCO-Riverview: Mary Barnett's gift shop
	South	C-2 & PCO-Riverview: Office space
	West	PD-RRH (Residential Riverview House): apartments



A. Summary of Request

- This request would allow:
 - For a special exception to allow the current operator to add entertainment the existing eating and drinking establishment, to reduce closing hours on Saturday and Sunday, to modify the interior space and add outdoor dining along the front of the building.
 - PCO Development Certificate to allow the proposed modifications to the front façade.

B. Plan Consistency

The proposed special exception and PCO Development Certificate are consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- The site is zoned C-2 (Corridor Commercial) and Riverview Pedestrian Commercial Overlay (PCO-Riverview) districts which permits the proposed use by special exception and requires a PCO Development Certificate for any new construction.
- The applicant is currently operating as an eating and drinking establishment and is proposing to add entertainment, modify the floor plan and add outdoor dining.

	Current	Proposed
Hours of operation and hours for the sale of alcoholic beverages	11:00 a.m. until 11:00 p.m., Monday through Friday 12:00 noon until 11:00 p.m. on Saturday 12:00 noon until 10:00 p.m. on Sunday	11:00 a.m. until 10:00 p.m., Monday through Thursday 11:00 a.m. until 11:00 p.m. on Friday 12:00 noon until 10:00 p.m. on Saturday 12:00 noon until 9:00 p.m. on Sunday
Entertainment	N/A	4 piece live mariachi band
Capacity	Not available	<ul style="list-style-type: none">• 90 seats indoors• 18 seats outdoors• 118 total capacity

Special exception history:

City Council Approval	Applicant	Changes
1999	Mi Hogar	Initial Application eating and drinking establishment
1999	Mi Hogar	Downtown development certificate for freestanding sign.

ii. Parking

- The off-street parking requirement for restaurants within the PCO-Riverview district requires one parking space per 200 square feet of dining area.
 - Fifteen parking spaces are required and 35 are provided.
- Two bicycle parking spaces will be required.

iii. Flood Zone

- The property is located in the AE Flood Zone which is a high risk flood zone and X (Shaded) Flood Zone, which is a low risk flood zone.
- The proposed construction will have to comply with current flood zone requirements.

iv. Development Standards – PCO Development Certificate

- Building Location and Orientation:
 - The existing building was built in 1970 and predates the implementation of the PCO requirement for the building to be within 10 feet of the property line along Granby Street.
 - The proposed outdoor dining expansion will expand the building façade closer to the street and bring the building more into compliance with the development standards.
 - A waiver will be required.
- Façade Treatment:
 - The façade along Granby Street complies with the 50% transparency requirement and therefore no waiver is needed.
- Parking Location and Access:
 - Much of the parking is located in front of the building and does not comply with the PCO development standards requiring parking to be located to the rear of the building.
 - The applicant is proposing to close one of the curb cuts on Granby Street and eliminate a parking space.
 - A waiver will be required.
- Signage:
 - A freestanding sign currently is located on the site on Granby Street which is not permitted in this PCO.

- In 1999 a Development Certificate was approved granting a waiver for the existing sign.
- Landscaping and Buffering:
 - The applicant is proposing to provide additional landscaping along Granby Street where the driveway is proposed for closure.
 - The improvements will bring the applicant more into compliance with *Zoning Ordinance* requirements, but not completely.
 - A waiver will be required.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that this restaurant will generate 67 additional vehicle trips per day as a result of the proposed 525 square foot expansion.
- Granby Street near the site is not identified as a severely congested corridor in either the AM or PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus routes 1 (Granby) operating adjacent to the site.
- Granby Street just north of the site at the Lafayette River Bridge is an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

E. Impact on the Environment

- The applicant is proposing to eliminate the southernmost driveway on the site on Granby Street and provide additional landscaping.
- This will make travel on Granby Street safer as well as bring the site more into compliance with current development standards.

F. Impact on Surrounding Area/Site

- The addition of outdoor dining meets the purpose and intent of the Riverview PCO and will positively impact this commercial corridor.
- The dining is along Granby Street and would not impact her residential location to the west of the site.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

Notice was sent to the Colonial Place/Riverview Civic League and the Riverview Business Association on April 12.

I. Communication Outreach/Notification

- Legal notice was posted on the property on March 22.
- Letters were mailed to all property owners within 300 feet of the property on April 15.

- Legal notification was placed in *The Virginian-Pilot* on April 14 and April 21.

J. Recommendations

Staff recommends that the Riverview PCO Development Certificate and special exception request be **approved** subject to the conditions shown below:

Riverview PCO Development Certificate

- Staff recommends that the Development Certificate be approved subject to the necessary waivers for building placement, parking location, and landscaping.
- The building was existing prior to the implementation of the PCO development standards and the proposed modifications would bring the site and building more into compliance with those standards.

Entertainment Special Exception

Entertainment Establishment – Conditions

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be limited to 11:00 a.m. until 10:00 p.m., Monday through Thursday, 11:00 p.m. until 11:00 p.m., on Friday, 12:00 noon until 10:00 p.m. on Saturday and from 12:00 noon until 9:00 p.m., on Sunday No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 90 seats indoors, 18 seats outdoors, and the total occupant capacity, including employees, shall not exceed 118 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (c) No smoking shall be permitted anywhere in the outdoor dining area.
- (d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

- (e) Entertainment shall be limited to live bands having no more than four members. No other form of entertainment is permitted.
- (f) There shall be no dancing and no dance floor provided.
- (g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The establishment shall maintain a current, active business license at all times while in operation.
- (j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, snow, ice, and any bodily discharge.
- (m) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (o) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A,"

attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (p) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (q) Neither the establishment nor any portion of it shall be leased, let, or used to stage any private party and no outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (r) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (s) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This special exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);

- (7) The emergency action plan required under the Fire Prevention Code;
- (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
- (9) The establishment's designated driver program;

Attachments:

Location map
Zoning map
1000' radii map of similar ABC establishments
Special Exception Application – Entertainment Establishment
Proposed elevations for development certificate
Notice to the Riverview/Colonial Place Civic League


Proponents and Opponents

Proponents

Armando M. Ayala
4201 Granby Street
Norfolk, VA 23504

Opponents

None

Form and Correctness Approved: 

By 

Office of the City Attorney

Contents Approved: 

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT WITH ALCOHOLIC BEVERAGES KNOWN AS "MI HOGAR MEXICAN RESTAURANT" ON PROPERTIES LOCATED AT 4201 TO 4205 GRANBY STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Armando Ayala authorizing the operation of an entertainment establishment with alcoholic beverages on property located at 4201 to 4205 Granby Street. The property which is the subject of this Special Exception is more fully described as follows:

Properties front 100 feet, more or less, along the western line of Granby Street and 215 feet, more or less, along the northern line of Connecticut Avenue; properties also front 150 feet, more or less, along the eastern line of Llewellyn Avenue; premises numbered 4201 to 4205 Granby Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be limited to 11:00 a.m. until 11:00 p.m. Monday through Friday, 12:00 noon until 11:00 p.m. on Saturday, and 12:00 noon until 10:00 p.m. on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 90 seats indoors, 18 seats outdoors, and the total occupant capacity, including employees, shall not exceed 118 people.

- (c) No smoking shall be permitted anywhere in the outdoor dining area.
- (d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (e) Entertainment shall be limited to live bands having no more than five (5) members. No other form of entertainment is permitted.
- (f) There shall be no dancing and no dance floor provided.
- (g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The establishment shall maintain a current, active business license at all times while in operation.
- (j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff

and shall not be permitted within any restroom.

- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (m) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (o) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (p) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from

requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (q) Neither the establishment nor any portion of it shall be leased, let, or used to stage any private party and no outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (r) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (s) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This special exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time; and
 - (9) The establishment's designated driver program.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of

Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is

considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exception permitting an eating and drinking establishment on this property, adopted on August 24, 1999 (Ordinance No. 39,708). All provisions and conditions previously approved are entirely superseded by the terms of this Special Exception.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (4 pages)

Exhibit B (1 page)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 3-7-16

Trade name of business MITOGAR MEXICAN RESTAURANT

Address of business 4201 GRANBY ST;

Name(s) of business owner(s)* ARMANDO AYALA & GREGORIO M. AYALA &

Name(s) of property owner(s)* JERRY REYES FAMILY TRUST GUADALUPE CAUACHO

Name(s) of business manager(s)/operator(s) ARMANDO AYALA & GREGORIO AYALA

Daytime telephone number (757) 640-7705

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>11:AM</u> To <u>10PM</u>	Weekday From <u>10AM</u> To <u>10PM</u>
Friday From <u>11AM</u> To <u>11PM</u>	Friday From <u>11AM</u> To <u>11PM</u>
Saturday From <u>12PM</u> To <u>10PM</u>	Saturday From <u>12PM</u> To <u>10PM</u>
Sunday From <u>12PM</u> To <u>9PM</u>	Sunday From <u>12PM</u> To <u>9PM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

4a If yes, please describe type and number of each game to be provided:

5. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

5a. If yes, why:

- 5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?
☐ Yes ☒ No

6a. If yes, explain:

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

7a. If yes, explain:

8. Will there ever be a minimum age limit?
☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility


Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats) 82
Number of bar seats 0
Standing room 0

b. Outdoor

Number of seats 18

c. Number of employees

10

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 118

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

FOUR MEMBER MAZIACHI BAND

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

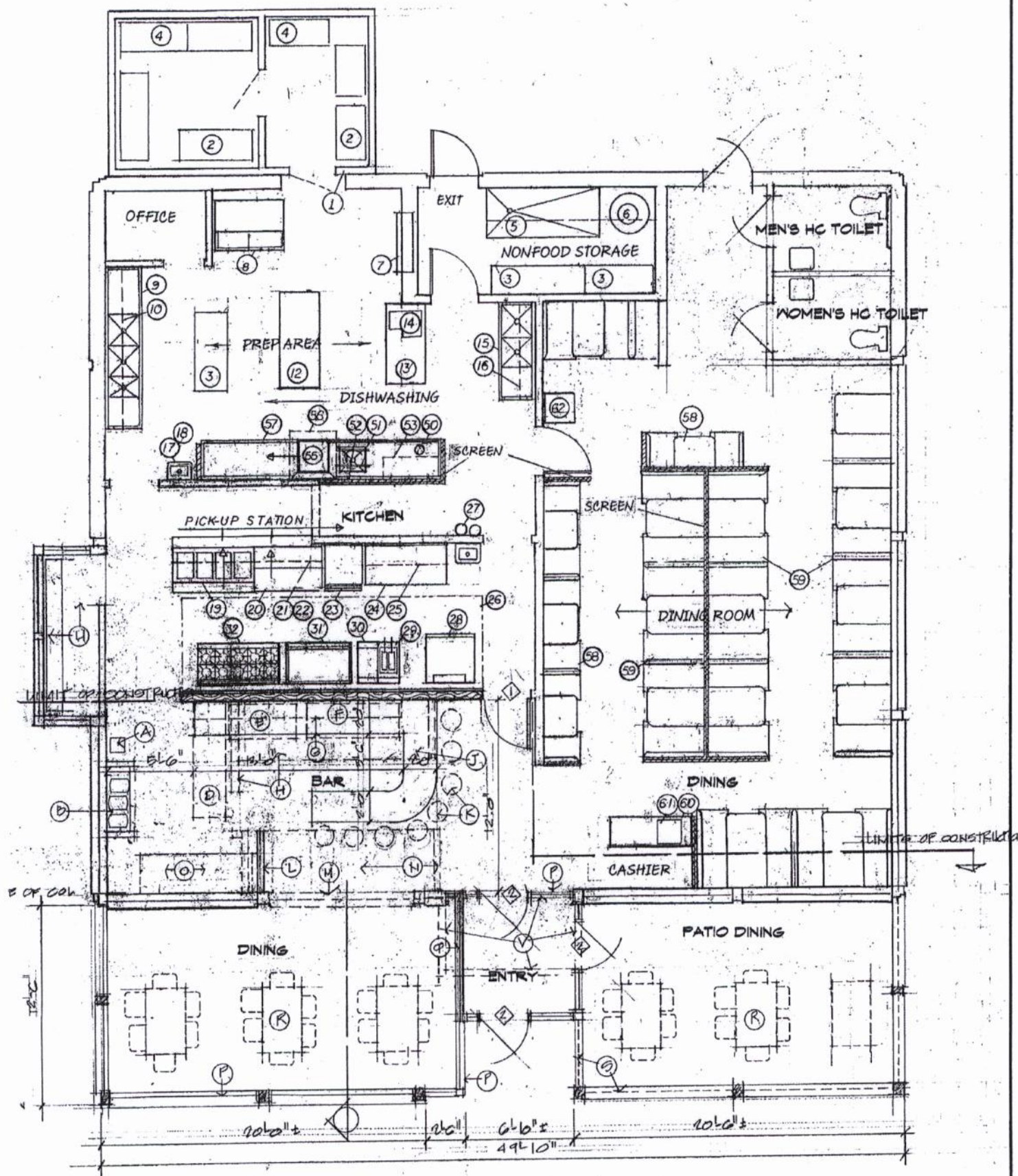
810 Union Street, Room 508

Norfolk, Virginia 23510


Telephone (757) 664-4752 Fax (757) 441-1569

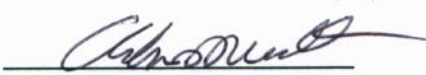
(Revised January 2015)

Exhibit B



04/25/16 lds

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A PEDESTRIAN COMMERCIAL OVERLAY DEVELOPMENT CERTIFICATE, WITH WAIVERS, TO PERMIT CONSTRUCTION OF AN ADDITION TO THE EXISTING BUILDING ON PROPERTIES LOCATED AT 4201 TO 4205 GRANBY STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Pedestrian Commercial Overlay Development Certificate is hereby granted to permit construction of an addition to the existing building on properties located at 4201 to 4205 Granby Street. The properties to which the Certificate applies are more fully described as follows:

Properties front 100 feet, more or less, along the western line of Granby Street and 215 feet, more or less, along the northern line of Connecticut Avenue; properties also front 150 feet, more or less, along the eastern line of Llewellyn Avenue; premises numbered 4201 to 4205 Granby Street:

Section 2:- That the Council expressly finds that waivers from the requirements of §§ 11-24.4(a) and 11-24.4(c) of the Zoning Ordinance of the City of Norfolk, 1992, (as amended) regarding building location and parking location are appropriate because the application submitted, while not strictly in accord with certain general regulations, meets public purposes, is not contrary to planning principals contained in the adopted general plan of Norfolk, and provides public protection to an equivalent or greater degree and provides public protection to an equivalent or greater degree; and also because, in the particular circumstances of the case, strict application of these regulations is not necessary for the accomplishment of public purposes or the provision of public protection at this time or in the future; wherefore such waiver is hereby granted.

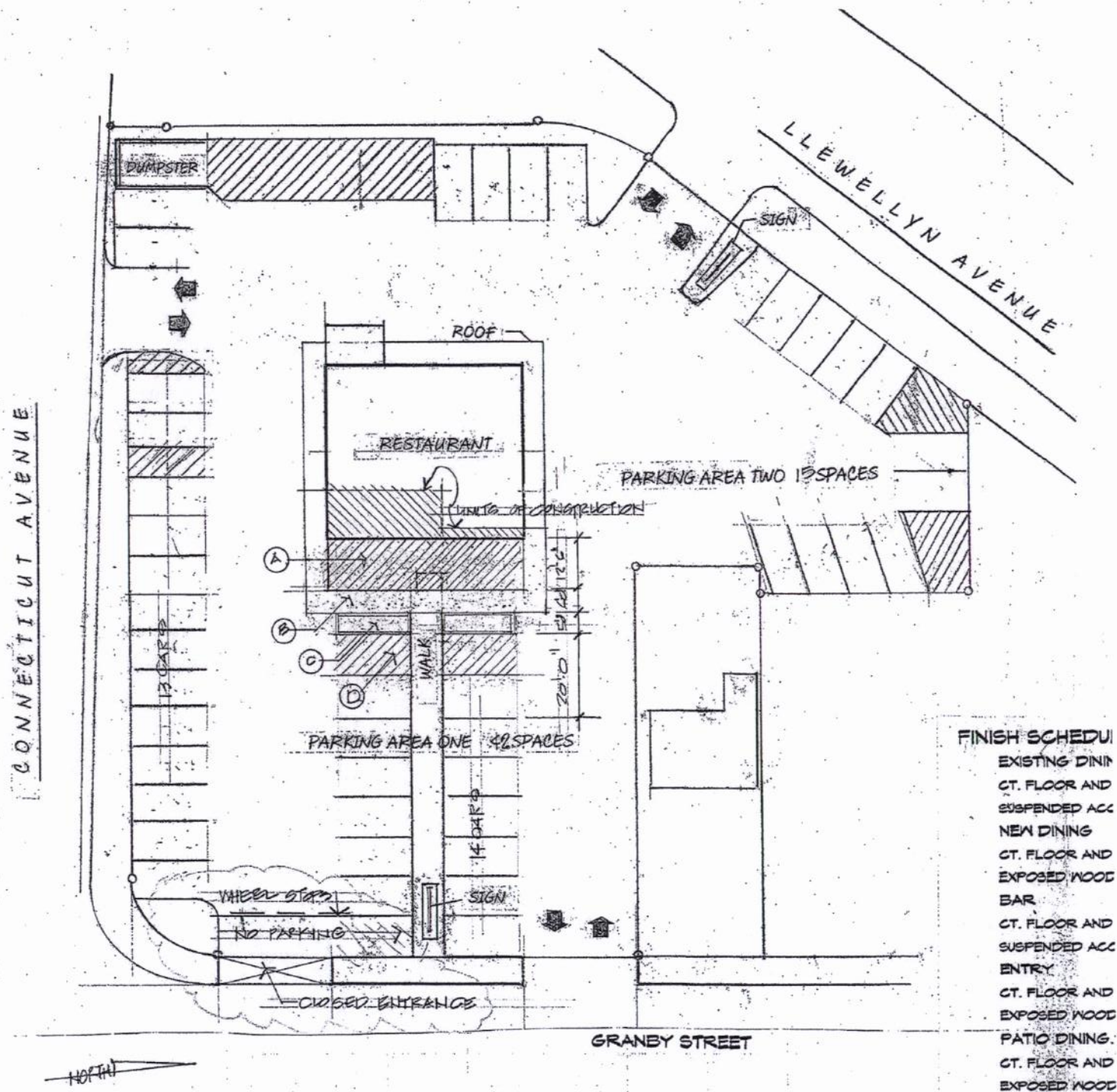
Section 3:- That the Pedestrian Commercial Overlay Development Certificate granted hereby shall be subject to the following condition:

- (a) The site shall, including the parking layout, landscaping improvements, and the east elevation of the building addition shall be improved generally in accordance with the drawings attached hereto and marked as "Exhibit A," subject to any revisions required to be made by the City during the review by the City's site plan review process and building permit plan review process.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

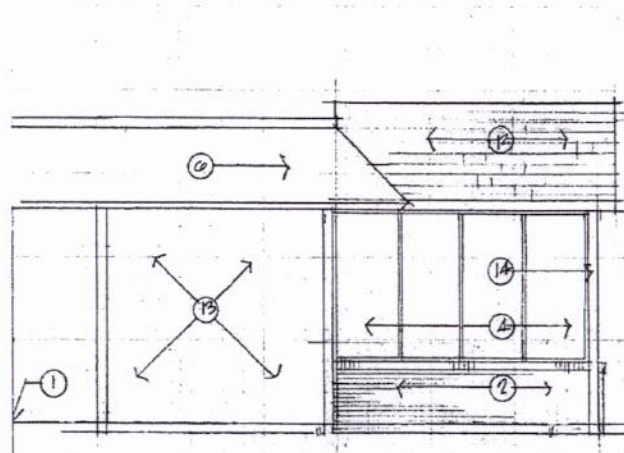
ATTACHMENT:
Exhibit A (2 pages)

Exhibit A



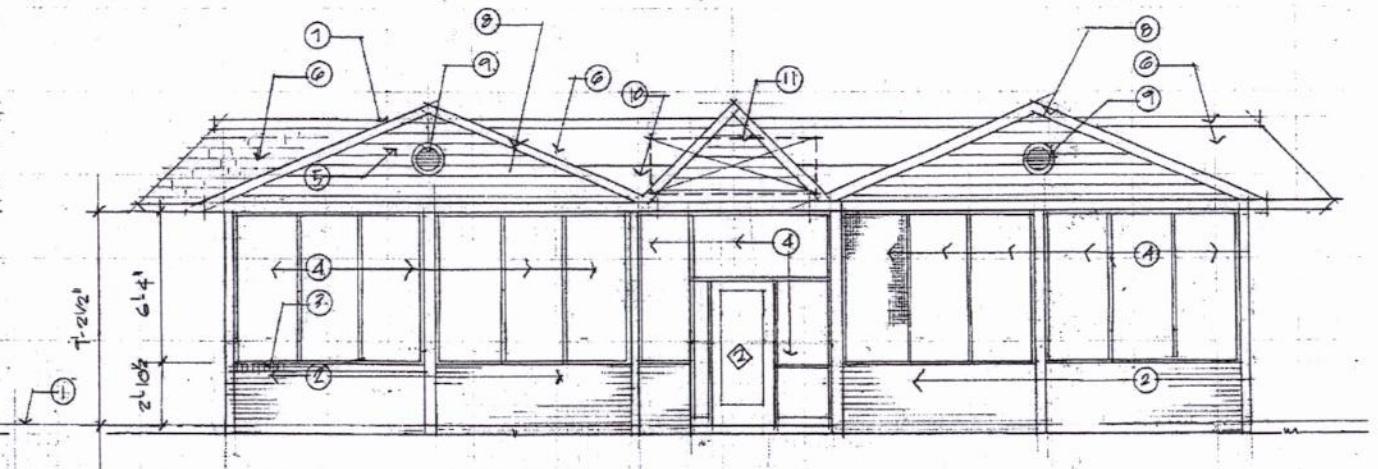
FINISH SCHEDULE

- EXISTING DINING
- CT. FLOOR AND SUSPENDED ACC
- NEW DINING
- CT. FLOOR AND EXPOSED WOOD
- BAR
- CT. FLOOR AND SUSPENDED ACC
- ENTRY
- CT. FLOOR AND EXPOSED WOOD
- PATIO DINING
- CT. FLOOR AND EXPOSED WOOD



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"

Location Map



Zoning Map

R-8

PD-RRH

R-14

LLEWELYN AVENUE

GRANBY STREET

MI HOGAR
MEXICAN RESTAURANT

C-2

C-2

C-2

CONNECTICUT AVENUE

E 42ND STREET

C-2

C-2

OMOHUNDRO AVENUE

C-2

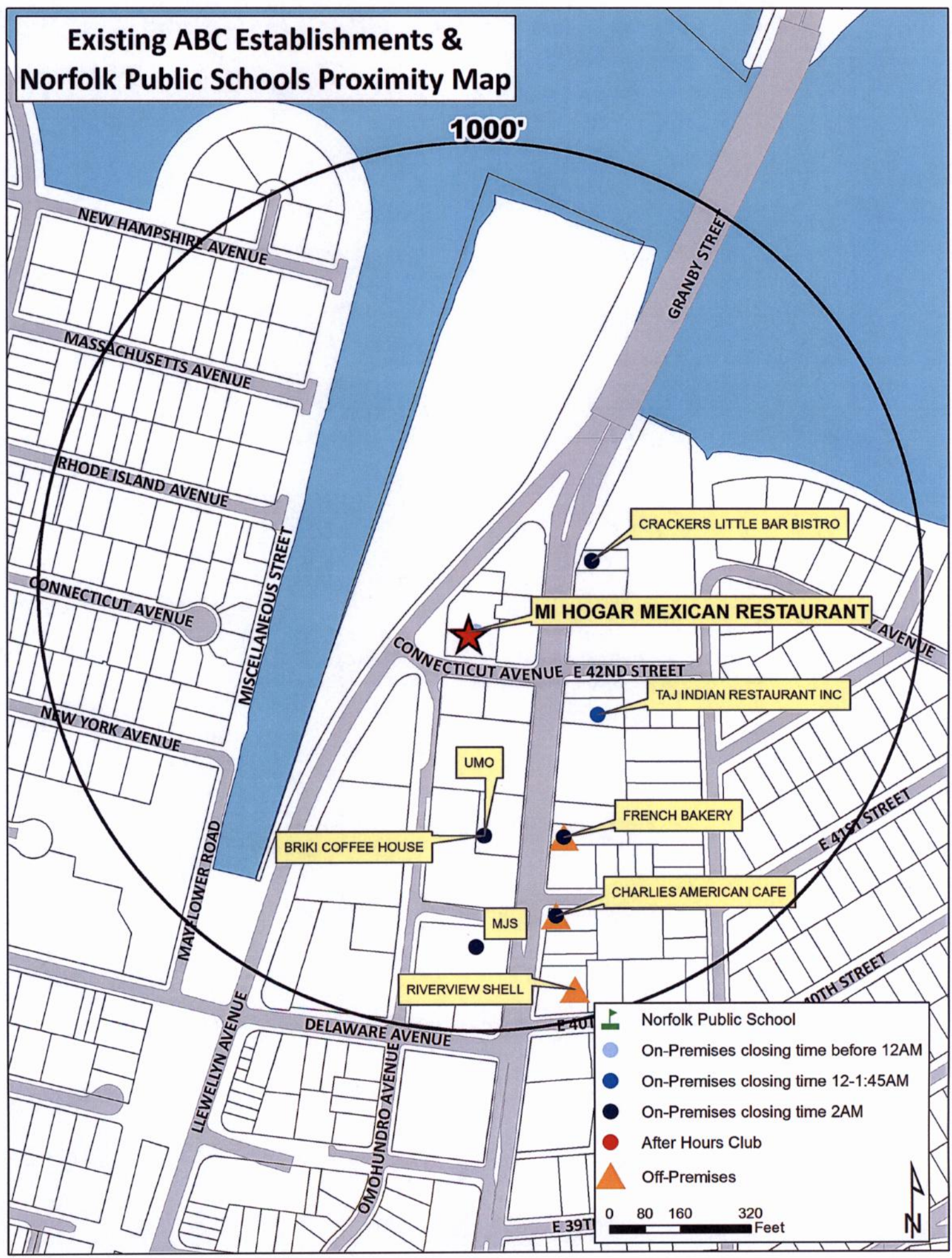
R-8

0 30 60 120 Feet



Existing ABC Establishments & Norfolk Public Schools Proximity Map

1000'





APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)

Date 3-7-14

DESCRIPTION OF PROPERTY

Address 4201 GRANBY ST.

Existing Use of Property RESTAURANT / ADULT USE

Proposed Use ~~SAME~~ Entertainment Establishment

Current Building Square Footage 2550

Proposed Building Square Footage 3075

Trade Name of Business (If applicable) MILLAGAR MEXICAN RESTAURANT

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) AYALA (First) ARMANDO (MI) M

Mailing address of applicant (Street/P.O. Box): 4201 GRANBY ST.

(City) NORFOLK (State) VA (Zip Code) 23504

Daytime telephone number of applicant (757) 640-7705 Fax () 640-0032

E-mail address of applicant: WArmandoo live.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

Application
Entertainment Establishment
Page 2

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) _____ (First) _____ (MI) _____

Mailing address of applicant (Street/P.O. Box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of applicant () _____ Fax () _____

E-mail address of applicant: _____

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) ~~RENESENK~~ ^{RENESENK} (First) JERRY (MI) P. ^(FAMILY TRUST)

Mailing address of property owner (Street/P.O. box): 7606 LEAFWOOD DR.

(City) NORFOLK (State) VA (Zip Code) 23518

Daytime telephone number of owner 757-587-7697 email: N/A

CIVIC LEAGUE INFORMATION

Civic League contact: John Robertson Colonial Place/Riverview president@cpvinct

Date(s) contacted: _____

Ward/Super Ward information: _____

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

REQUIRED ATTACHMENTS

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: RUBY M. RENESIS ^{TTEE} Sign: Ruby M. Renesis ^{TTEE} 31 8 16
(Property Owner or Authorized Agent of Signature) (Date)

Print name: ARMANDO AYALA Sign: [Signature] 31 7 16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / ____ / ____
(Authorized Agent Signature) (Date)

Pollock, Susan

From: Straley, Matthew
Sent: Wednesday, March 16, 2016 2:27 PM
To: 'president@cprv.net'; 'Rvba23504@yahoo.com'
Cc: Whibley, Terry; Winn, Barclay; Wilson, Denise; Pollock, Susan
Subject: new Planning Commission application
Attachments: MiHogar.pdf

Ms. Flaherty and Mr. Childers,

Attached please find the following for 4201-4205 Granby Street:

- a. Special exception to operate an entertainment establishment with alcoholic beverages.
- b. Riverview Pedestrian Commercial Overlay (PCO-Riverview) development certificate with waivers.

The purpose of the request is to allow the existing restaurant to construct an addition to the building, expanding capacity, and to offer limited entertainment (four-piece mariachi) to its customers.

The item is tentatively scheduled for the April 28, 2016 Planning Commission public hearing.

Staff contact: Susan Pollock Hart at (757) 664-4765, susan.pollock@norfolk.gov

Thank You.

Matthew Straley
GIS Technician II



City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov